Labour and Local Administration Department

NOTIFICATION

No. L. Dis. 3670/57/L & LAD.

Dated, Trivandrum, 7th March 1957.

The award of the Industrial Tribunal, Alleppey in respect of the dispute between Sri S. P. Sankara Iyer, Bus Owner, Alleppey and the workmen of his concern represented by the All Travancore Motor and Mechanical Workers' Congress, Sherthalai received by Government on 1-3-1957 is hereby published under Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. I. Jacob,
Secretary.

Before the Industrial Tribunal, Alleppey

Present:

Sri K. Shahul Hameed

In

INDUSTRIAL DISPUTE No. 55 of 1956

Between

Sri S. P. SANKARA IYER, BUS OWNER, ALLEPPEY

And

THE WORKMEN OF HIS CONCERN

Represented by the All Travancore Motor and Mechanical Workers' Congress, Sherthalai.

Representation:—

For Management—Sri A. Ismail Sait, Advocate, Alleppey.
For All Travancore Motor and Mechanical Workers' Congress— Sri Kallercode Narayanan, Advocate. Alleppey.

AWARD

1. Government of the former T. C. State by their order No. L. Dis. 10734|1956 DD. dated 21-5-56 referred the Industrial Dispute between Sri S. P. Sankara Iyer, Bus Owner, Alleppey (hereinunder called the management) and the workmen of his concern represented by the All Travancore Motor and Mechanical Workers' Congress, Sherthalai (hereinunder called the Union) to this Tribunal for adjudication in respect of the following matters:—

(i) Whether the discharge of Conductors K. V. Sathyapalan and R. Raman Kutty from service is justifiable?

(ii) To what relief are they entitled—

(a) if the discharge is not justifiable?

(b) if the discharge is found justifiable?

2. On receipt of the order of reference I took cognisance of the dispute as I. D. 55/56 and issued summons for parties on 23-5-56. The parties entered appearance on 8-6-56. The Union has filed their claim statement on 30-6-56 and the management their counter on 16-10-56. The Union has examined the discharged workman R. Ramankutty as WW1 and marked Exhibit W1 to W4.

3. The Union contended that the abovesaid two workmen were employed as Conductors in Bus No. TCQ. 575 from 1951 when the Bus was owned by one S. Bava Moopan, Proprietor of the Hamidia Company, Alleppey; that the above said proprietor had taken deposit from the two workmen; that the above Bus No. TCQ. 575 and its route were purchased by Sri S. P. Sankara Iyer in January 1953; that the Management refused to continue the services of the workmen; that the Union in which the workmen were members interfered in the matter as a result of which the Management took them in service from 25-2-53 onwards; that from 16-9-53 they were again denied employment; that they were actuated by victimisation; that the discharge is unjustifiable and illegal; that Sathyapalan died on 5-6-56 during the pendency of this dispute and that therefore the Union urged that the workman R. Ramankutty should be reinstated with all his back arrears and that the arrears of pay and other emoluments due to deceased workman K. V. Sathyapalan be disbursed to his legal representatives. On the other hand the contentions of the management were these; that the dispute is not maintainable in law as there is no employer-employee relationship between the parties; that S. P. Sankara Iyer is not a necessary party in this dispute; that the ownership of Bus TCQ. 575 was transferred to S. P. Sankara Iyer on 16-4-52 by virtue of a Hire-Purchase agreement; that S. P. Sankara Iyer never purchased the route; that he was not running the bus at any time; that the said Bava Moopan stopped the Bus service from August 1952; the bus was lying idle for a period of six months; that Sri C. K. Nanu Pillai took up the service on 19-2-53 and was running bus No. TCQ. 575 till 16-9-53; that on 16-9-53 the above said bus and the route were purchased by Sri K. N. Raghavan Pillai; that the statement by the Union that S. P. Sankara Iyer re-engaged the workmen from 25-2-53 is absolutely false; that S. P. Sankara Iyer had nothing to do with the discharge of workmen concerned in this dispute; and therefore the Union is not entitled to any of the reliefs sought for and the Union's contentions have to be negatived and costs awarded to them.

4. When the case came on for evidence on 26-2-57 the Advocates appearing on either side submitted that the parties have settled their differences out of Court and filed the following Compromise Petition in Court.

Before the Industrial Tribunal, Alleppey

IN I. D. 55/56.

Compromise Petition filed by Kallercode Narayanan, Advocate for the Union and Ismail Sait, Advocate for the Management

As the Parties have settled the matter out of court, we request your honour to be good enough to pass an award accordingly.

26-2-'57. (Sd.) KALLERCODE NARAYANAN,
Advocate for the Union.

26-2-'57. (Sd.) ISMAIL SAIT,
Advocate for Management.

5. Evidently the parties have compromised and do not want to continue the adjudication. Therefore I accept the compromise and pass this award. I hold that no industrial dispute subsists between the parties regarding the issues referred to me for adjudication. The reference is answered accordingly. In the nature of the compromise I make no order as to costs. This award will come into operation from the date of its publication in the Official Gazette.

Alleppey,
28-2-1957.

K. SHAHUL HAMEED,
Industrial Tribunal.

APPENDIX.

Witness for Union.

WW1. Sri R. Raman Kutty.

Exhibits for the Union.

Ext. W1. Receipt dated 16-8-126 given by Mr. K. B. Hameed, Proprietor, Hameedia Bros., to P. K. Raman Kutty.

" W2. Letter dated 23-10-56 from the Assistant Labour Commissioner, Alleppey to Sri P. Raman Kutty.

" W3. Copy of proceedings of the conference held by the Assistant Labour Commissioner, Alleppey on 6-2-56.

" W4. Copy of proceedings of the conference held by the Assistant Labour Commissioner, Alleppey on 4-4-56.

Witness for Management.
Nil.

Exhibits for the Management.
Nil.

Gazette No. 12 dated 19th March 1957.
PART I

NOTIFICATION.

No. L. Dis. 3665/57/L & LAD.

Dated, Trivandrum, 7th March 1957.

The award of the Industrial Tribunal, Alleppey, in respect of the dispute between the Management of the Empire Coir Works, Alleppey and their workmen represented by the Travancore Coir Factory Staff Association, Alleppey received by Government on 25-2-1957 is hereby published under Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. I. JACOB,
Secretary.

Before the Industrial Tribunal, Alleppey.

Present

SRI K. SHAHUL HAMEED

In

INDUSTRIAL DISPUTE No. 57 OF 1956.

Between

THE PROPRIETOR, EMPIRE COIR WORKS, ALLEPPEY

and

THE STAFF OF THE EMPIRE COIR WORKS
REPRESENTED BY THE TRAVANCORE COIR FACTORY
STAFF ASSOCIATION, ALLEPPEY

Representation:—

For Management Mr. M. C. Varghese, Advocate, Alleppey.
For Union Mr. K. C. Eappen, B. A., General Secretary of the Association.

AWARD.

1. By Government Order No. L. Dis. 9775/1956/DD. dated 22-5-1956 this Industrial Dispute between the Proprietor, Empire Coir Works, Alleppey (Herein under called the Management) and the staff of the above concern represented by the Travancore Coir Factory Staff Association, Alleppey (Herein under called the Union) was referred to this Tribunal for adjudication in respect of the following issues :

(i) Is the Discharge of S. Raghavan Pillai (Canteen Employee) justifiable ?

(ii) To what reliefs is he entitled if
(a) the discharge is not justifiable ?
(b) the discharge is found justifiable ?

2. On receipt of the order of reference I have registered it as I. D. 57/1956 on my file and issued sommons for parties on 24-5-1956. The parties entered appearance on 12-6-1956. The Union filed their claim statement on 14-6-1956 and the Management their counter on 27-6-1956. The Union has examined four

witnesses WW1 to WW4 and the management has examined three witnesses EW1 to EW3 and marked Exhibits E1 to E15.

3. The Union's contentions as set forth in their claim statement are these. Sri S. Raghavan Pillai was employed with the management as a canteen employee. The union had been negotiating with the management for an increase in the annual bonus due to the canteen employees. The union was also negotiating with the T. C. M. M. M. Association in which the management was a constituent member for better service conditions to the canteen employees. The above said Sri Raghavan Pillai was an active member of the union. On 2-1-1956 and on other dates preceding it, the representative of the union visited the management and conducted negotiations on the question of bonus to the canteen staff. On 2-1-1956 Sri Raghavan Pillai was served with a notice by the management stating that his services would be terminated with effect from 4-1-1956. The discharge was an act of victimisation on the part of the management and is therefore entirely unjustifiable. It is therefore prayed that he may be re-instated with his back arrears. The union also urged that if in any case the discharge is found justifiable, the management may be ordered to pay compensation to the employee at the rate of two months' complete pay for every year of service. He has put in more than six years service with the management.

4. The management in their counter contended as follows: Sri S. Raghavan Pillai was recruited as a canteen worker on 4-6-1951 on a salary of Rs. 18 plus the usual Dearness Allowance, allowed to the canteen staff. At the time of his recruitment there were about 475 workmen employed in the factory. Consequent upon the reduction in business, the number of workmen was reduced to 350. Due to the reduction in the number of workmen the sales in the canteen had been reduced to a considerable extent. The sales at the time when he was employed were to the extent of about Rs. 25556 while the sales as on 27-6-1956 were below Rs. 12555. The retrenchment or discharge of Sri S. Raghavan Pillai was therefore inevitable. Sri S. Raghavan Pillai was also the last recruited and be was therefore the first to go. It is the inherent right of the management to determine the number of workmen and as such it has got the right to retrench or discharge the workmen when they are found superfluous. The bonus to canteen staff was enhanced to 1½ months' salary without any intervention of Sri S. Raghavan Pillai and it has never been an occasion for his discharge or retrenchment. The idea of victimisation has never been in the contemplation of the management at any time. The notice dated 2-1-1956 was served on him notifying his retrenchment from 4-1-1956 and he was offered all emoluments to which he was entitled including one month's salary in lieu of notice. This gracious offer was refused. The matter was conciliated by responsible officers and to their great disappointment, the management could not arrive at a settlement on account of the recalcitrant attitude of the union. Therefore the management urged that the union is not entitled to any of the reliefs sought for.

5. As is clear from the pleadings on either side, the following facts are admitted; that Sri S. Ragbavan Pillai was a canteen employee, and that a notice was served upon him on 2-1-1956 terminating his services with effect from 4-1-1956. In the nature of the contentions, the first question to be decided in this case is whether the termination of the services of Sri Raghavan Pillai was discharge due to victimisation as the union would claim it or whether is it a case of retrenchment on rationalisation, economy or other trade reasons as contended for by the management. The leading case on retrenchment is the case of Viswamitra Press Vs. their workmen reported in 1952 I LLJ 181. The principles laid down therein are set out below:—"16. The first question to be considered by a Tribunal is whether a case for retrenchment has been established. On this question the onus would be on the management. If it fails its case would end there. If however the management is able to establish a case for retrencbment either on the ground of rationalisation, economy or other sufficient causes the next question to consider would be the extent of retrenchments. Here the matter has to be considered under two sub-heads, *viz.*, (i) when the action of the management in retrenching the workman is *bonafide* and (ii) where in determining the extent of retrenchment it acts partially on extraneous considerations or on improper motives. "17. It is the *prima facie* right of the management to determine its labour force and the management would be the best judge to determine the number of workmen who would become surplus on the ground of rationalisation, economy or other reasons on which ratrenchment can be sustained. It is not possible or desirable to give an exhaustive list of the cases that would be covered by the second class. The increase of workload on the workmen retained would be an instance of extraneous consideration. Similarly victimisation or unfair labour practice in effecting retrenchment would be instances of improper motive. When the management is influenced by extraneous considerations or improper motives the Tribunal must scrutinise the matter with great circumspection and must confine the number of retrenchment strictly within the limits of actual requirement. In such cases the management must justify by evidence the extent of the retrenchment."

6. Applying these principles to the case in hand what is it that we find? Exts. E1, E2, E3, E4 and E5 are the Muster-Rolls of the management for the years 1951, 1952, 1953, 1954, and 1955 respectively. In Ext. E1 the number of workmen under the management is shown as 475 and in Ext. E5 it is only 352. A gradual decrease in the total number is also discernible from Ext. E1 to E5. These Exts. are proved by EW2 Sri K. S. Gopinath, Stenographer and General Clerk of the Management. Similarly Exts. E10, E11, E12, E13, and E14 are the ledgers of the management respectively for the years 1951 to 1955 both inclusive. The total sales-turnover in 1951 according to Ext. E10 is Rs. 23,261-6-0 and the same for the subsequent years is as follows; for 1952 (Ext. E11)—Rs. 25,556-15-0; for 1953 (Ext. E12)—Rs. 23,641-10-9; for 1954

(Ext. E13)—Rs. 17,601-11-3 and for 1955 (Ext. E14)—Rs. 12,901-3-3. Sri Varghese sought to establish from these circumstances the fact that as the number of workmen under the management decreased, the total sales-turnover from the canteen also proportionately fell less and less. He stressed the point that EW3 Sri Kolappa Pillai the Manager of the concern from its very inception has sworn that on the date of his examination in Court on 7-12-1956 it has further fallen down to 291. Sri Varghese also urged that in the light of the testimony of EW3 that there were four Servers in the canteen in 1951 including Sri S. Raghavan Pillai who was the juniormost among them which is not disputed by the Union, when the number of workmen fell down to 380 in 1955 the management was compelled on the basis of rationalisation and economy to discharge by way of retrenchment the juniormost among them on the principle of 'last come first to go' and manage the work with the remaining three without increasing their workload at all.

7. Sri K. C. Eappen the General Secretary of the Union impeaches the correctness of the accounts produced by the Management. But on scrutiny I find that the management is a limited concern and their accounts have been audited and that they have been produced before the Income Tax Officers for purposes of assessment. Therefore the argument advanced by Sri Eappen is not convincing and I am compelled to hold that the accounts (Exts. E1 to E5 and Exts. E10 to E14) are reliable and can safely be acted upon. Next Sri Eappen argued that the notice of retrenchment (Ext. E6) served upon the workman is not valid in law in so far as it is not in the prescribed manner and duly served upon Government as laid down under Section 25 F sub-section (c) of the I. D. Act, 1947. That Ext. E6 is served upon the workman is not disputed by the Union. On 4-1-1957 the Union filed a petition before me calling upon the management to produce the copy of the notice of retrenchment served upon Government. Pursuant to this petition the management has produced the true copy of a letter sent by them on 3-1-1956 from which it is seen that they have forwarded true copies of Ext. E6 to the Secretary to Government, Development Department, Trivandrum; to the Labour Commissioner, Trivandrum; to the Assistant Labour Commissioner, Alleppey; to the Secretary, T. C. F. S. Association, Alleppey (the present Union) and to the Secretary, T. C. M and M. M. Association, Alleppey. This letter has been marked as Ext. E15. The Union admits that they have received this letter but then Sri Eappen contended that it is not in the prescribed manner. The Travancore-Cochin Industrial Disputes Rules, 1951 which was in force at the time does not prescribe any form for such retrenchment notices. Even otherwise Section 25 F would only say that no workman in any industry who has been in continuous service for not less than one year under an employer shall be retrenched until the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired or the workman has been paid in lieu of such notice, wages for the period of the

notice. In this case it is clear that there was not one month's notice so that the workman is only entitled to one month's wages in lieu of such notice at the most.

8. Turning to the question of bonafides of the management in effecting the retrenchment Sri Eappen's case was that they were motivated by victimisation due to the trade union activities of the workman. That Sri S. Raghavan Pillai was a member of the Union is proved. The Union's case is that he took a leading part in the demand of the Union for 1½ months' wages as bonus to the canteen staff for 1955 and that the management was compelled to yield, so much so they discharged him on 4-1-1956 and awarded bonus the next day. More than the fact that Sri Raghavan Pillai had gone to the Union Office to send the Secretary for negotiation with the management in the matter of bonus for 1955, there is nothing in the evidence let in by the Union to prove the part played by him in these negotitions, or that because of his such activities the management bore a grudge against him. In the absence of reliable evidence I regret I am unable to agree with the suggestion put forward by Sri Eappen that because the management discharged the workman on 4-1-1956 and paid bonus the next day, it must be inferred that they were actuated by victimisation. Incidentally Sri Eappen referred to the circumstance that the management if they wanted to be fair to the workman could have given him some alternate employment. He urged that it has come out in the evidence of WW4 that there was double employment and that vacancies had arisen for the place of night watchers and that one such place was given to another peon in the Factory. To this Sri Varghese replied that EW3 the Manager has sworn that there were two night watchers, one Raman Pillai and another John; that Raman Pillai was a night watcher for the last ten years; that John was a watcher in the branch of the management which was closed down and leased to M/s. Pooppally Coir Mills; that in view of the closure John had to be provided elsewhere and therefore no vacancy of the night watcher's place had ever arisen. I am inclined to accept the evidence of the management in this behalf. Lastly Sri Eappen relied upon the following circumstance to establish the want of bonafides on the part of the management in the discharge of the workman. According to him Sri S. Raghavan Pillai as WW2 has sworn that he was employed as a daily worker in the Factory as early as 1947 before he was taken in the canteen section in 1951. Sri Eappen added that if this is so, he could not be the juniormost and the principle 'last come first to go' would not apply in his case. It was also contended by him that canteen is only a welfare amenity as provided for, in the Factories Act and as such in the matter of discharge the whole factory has to be viewed as one unit and that the management could have given him the place of a daily worker if they so desired. The contention that he was a daily worker of the factory in 1947 must be an afterthought. It does not find a place in the pleadings. Both the management and the union have admitted in their statements that he was taken as a canteen employee and the issue in the reference order also relates to the discharge of S. Raghavan Pillai (Canteen

Employee). Therefore that contention must necessarily fail. The latter part of the argument that canteen is only a welfare amenity and that it must not be taken as a section of the factory is also hardly convincing. The circumstances under which Sri Raghavan Pillai is retrenched are fully stated in the discharge notice (Ext. E6) and I could not find any trace of victimisation in it.

9. *Issue i.* After a careful and anxious consideration of the facts and circumstances in the case I have come to the conclusion that the discharge of S. Raghavan Pillai (Canteen Employee) is justified on the ground that the management has been able to establish that it is retrenchment on the ground of rationalisation and economy and that the action of the management is bonafide and that they had not been partial or that they were swayed by extraneous or improper motives. Issue found in favour of the management.

10. *Issue ii.* Coming to the reliefs, as it is a case of retrenchment it is governed by the provisions of the I. D. Act 1947. The retrenched workman is entitled to one month's notice pay and compensation which shall be equivalent to fifteen days' average pay for every year of completed service or any part thereof in excess of six months. Sri S. Raghavan Pillai was employed on 4-6-1951 and he was discharged on 4-1-1956. Thus he has completed five years of service. It is in evidence that his salary at the time of discharge was Rs. 18 basic pay, Rs. 6 D. A. and Rs. 18-4-0 V. D. A. (which is subject to fluctuation) totalling Rs. 42-4-0 per mensem. It is also proved that he has not been given his salary for three days in January 1956. Calculated on the above basis the management should pay him his salary for three days in January 1956, one month's notice pay and compensation of 2½ months' salary inclusive of all allowances within fifteen days of the coming into operation of this award. The recent amendment to the Industrial Disputes Act also gives the right of re-employment to the retrenched workman. Section 25 H runs as follows:—

"Where any workmen are retrenched and the employer proposes to take into his employ any person, he shall in such manner as may be prescribed give an opportunity to the retrenched workmen to offer themselves for re-employment and the retrenched workmen who offer themselves for re-employment shall have preference over other persons". Adverting to the above section their Lordships of the Appellate Tribunal in 1954 I LLJ 297 at p. 498 have observed "It is clear then that the persons who will be retrenched will have a preferential right of re-employment in the concern of the management". Therefore the management shall re-employ the said workman in the first suitable vacancy that arises after the coming into operation of this award. Issue found accordingly. In the nature of the case I make no order as to costs. This award will come into operation from the date of its publication in the official Gazette.

Alleppey,
23-2-1957.

K. SHAHUL HAMEED,
Industrial Tribunal.

Appendix.

Witnesses for the Union:—

WW1. Sri A. Varghese.
2. ,, S. Raghavan Pillai.
3. ,, C. Thomas.
4. ,, C. Vasudevan, Labour Officer, Alleppey 1st Circle.

Exts. for the Union:—

Nil.

Witnesses for the Management:—

EW1. Sri P. Raghavan Nair.
2. ,, K. S. Gopinath.
3. ,, V. Kolappa Pillai.

Exts. for the Management:—

Ext. E1. Register and Muster Roll of Adult Workers for 1951.
2. Do for 1952.
3. Do. for 1953.
4. Do. for 1954.
5. Do. for 1955.
6. True copy of Notice dated 2-1-1956 from the Management to Mr. Raghavan Pillai discharging him.
7. Letter dated 3-1-1956 from the Travancore Coir Factories Staff Association to the Management.
8. Letter dated 3-1-1956 from the Travancore Coir Factories Staff Association to the Secretary, T.C.M. and M. M. Association, Alleppey.
9. True copy of letter dated 4-1-1956 from the Management to the Secretary of the Travancore Coir Factory Association.
10. Ledger for the year 1951.
11. Do. 1952.
12. Do. 1953.
13. Do. 1954.
14 Do. 1955.
15. Copy of letter dated 3-1-1956.

Gazette No. 12 dated 19th March 1957.

PART I

Labour and Local Administration Department.

NOTIFICATION

No. L. Dis. 3801/57/L&LAD.

Dated, Trivandrum, 7th March 1957.

The award of the Industrial Tribunal, Trivandrum in respect of the dispute between Messrs. the Management of Balaram Motor Service, Quilon and their workmen represented by the Quilon District Motor Transport Workers Union received by Government on 1-3-1957 is hereby published under Section 17 of the Industrial Disputes Act 1947 (Central Act XIV of 1947).

By order of the Governor,
P. I. JACOB,
Secretary.

Before

SRI K. PURUSHOTHAMAN NAIR, B. A., B.L.
Industrial Tribunal, Trivandrum

INDUSTRIAL DISPUTE No. 40 OF 1956

Between

THE MANAGEMENT
OF BALARAM MOTOR SERVICE, QUILON.

And

THE WORKMEN

OF THE SAID SERVICE REPRESENTED BY THE
QUILON DISTRICT MOTOR TRANSPORT WORKERS UNION.

Representations:—

1. Sri T. K. Divakaran for the Union.
2. Sri G. Parameswaran Pillai, Managing Director, M. S. S. Ltd., Alleppey, Quilon branch on behalf of the management.

AWARD

Government have by order L.2-3631/56/DD. dated 20-2-1956 referred to this Tribunal for adjudication the Industrial Dispute between the management of Balaram Motor Service, Quilon and their workmen represented by the Quilon District Motor Transport Workers Union in respect of the following matter:

> "Is the discharge of V. Ismail, a conductor in the employ of Balaram Motor Service, Quilon justifiable or not? If either case to what relief is he entitled?".

2. On receipt of the order of reference the parties to the dispute were summoned and they have filed their respective statements and counter-statements. The Union has examined the worker and on behalf of the management the proprietor gave evidence.

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3. The facts are simple and I shall state briefly the contentions of either party. According to the Union, conductor Sri V. Ismail was in the service of the Balaram Motor Service for the past 10 years and he was working as a conductor in the Quilon-Kallada route in TCQ 976 during the third week of September 1955. On 23-9-1955 as usual on completion of the trips when he returned to the shed to entrust the day's collection, the employer after receiving the money told him that his services were terminated as he has become old. He tried in vain to persuade the employer to retain him in service and from the next day onwards one Sri Kunju Pillai another conductor was engaged in the bus. Sri Ismail appeared several times before the management for work and on failure of direct negotiations, the labour officer and conciliation officer intervened and as their attempts at settlement also proved futile the matter had to be referred for adjudication.

4. The management would contend that of late the conductor had become unruly and disobedient and that in spite of specific orders to write tickets himself he got tickets written by the cleaner and at times he would not even take enough of ticket book with him and would bring in collections without issuing tickets. When he was asked to explain the misconduct he gave a haughty reply and the memo demanding explanation was not even accepted by him. So he was asked to stand down; but since then he did not turn up for work. The management have no objection to reinstate him in service if he undertakes to behave properly and do his work according to the instructions given from time to time.

5. From the nature of the contentions the only point to be decided is whether the management was justified in denying employment to him from 24-9-1955. I may point out at the outset that the manner in which the management have dispensed with the services of the conductor is questionable. It is clearly admitted in the reply statement that he was asked to stand down when collections were brought without issuing tickets. Admittedly no enquiry was conducted on the alleged misconduct or on the alleged insolvent behaviour. But for the bald and self serving statement of the employer that he refused to accept a memo calling for his explanation, there is nothing on record to show that a memo in fact was served on him. Even if the worker refused to accept the memo, nothing prevented the management from issuing a registered notice calling upon him to furnish an explanation. From the conduct of the employer it would seem that he is still under the impression that he has the right to hire and fire as he pleases. Hence I may state that the management have in this instance acted in total disregard of the principles of natural justice in discharging the employee without even trying to get an explanation from him.

6. Coming to the merits of the case there is no proof worth the name that the conductor misbehaved or that he received fares without issuing tickets. Fortunately there is no charge that he at any time in his long period of service, has swindled

money and the employer has also no case that the object of the conductor in not issuing tickets was to make any unlawful gain. There is a checker attached to each bus and EW1 has not cared at least to examine the checker about the alleged misconduct. EW1 does not also swear that he received any complaint from the checker about the non-issue of tickets. The conductor as WW1 denies all the charges. He swears that on the date in question when he approached the employer with the collections the latter told him that he (the employer) has entrusted the management of the services to younger people as it is high time for older people like himself and the conductor to retire and so he need not report for duty from the next day onwards. From the circumstances of the case and in the absence of any counter evidence I accept the above version of the conductor and find that his services were dispensed with without any justifiable reason.

7. It was argued on behalf of the management that the conductor did not report for duty after he was asked to stand down and that the management are even now prepared to reinstate him if he undertakes to behave properly in future. It is quite improbable that he would have made himself scarce especially in view of the fact that no serious charge at any time was levelled against him by the management. The management have no case that the worker is physically unfit to discharge the duties of a conductor and the suggestion made that he has no proper eye-sight could not be accepted in the absence of proper evidence.

8. Thus I come to the conclusion that the discharge of the employee could not be justified on any ground. The normal rule in cases of wrongful discharge is to reinstate the workman and no special circumstance is pointed out to deny that relief. Besides, the management have stated that they are agreeable to reinstate him on certain conditions and EW1 has sworn that he is prepared to take him back if he does his work properly. This is what he says: "ഇപ്പോഴും Ismail-ന് ജോലി കൊടുക്കാൻ തയ്യാറാണ്. വിഴ്ചയില്ലാതെ ജോലി നോക്കിയാൽ മതി". Hence I order that Sri Ismail will be reinstated in service as soon as practicable within fifteen days of the publication of this award in the Gazette. The management have not been responsible for any delay in the disposal of this dispute and it cannot be said that their attitude has been vindicative. Hence I am of the view that it may not be proper to burden the management with the whole of the back arrears. I order that the management will pay one half of the arrears of this pay from the date of discharge till the date he is taken back in service. For the calculation of arrears the average of the wages paid to him for three months he was on duty preceding the discharge will be reckoned as his monthly pay for the intervening period. The back arrears so calculated will be paid within one month from the date this award is published in the Gazette.

9. I pass no order as to costs. Awarded accordingly.

10. I forward this award to Government as required under Section 17 of the Industrial Disputes Act of 1947.

Trivandrum,
26th February 1957.

K. PURUSHOTHAMAN NAIR,
Industrial Tribunal.

Appendix.

Employer's Witness—Sri Kunchayyan Govinda Panicker.

Worker's Witness—Sri V. Ismail.

Exhibits marked on behalf of the Management.

I. True copy of the decision taken on the conference dated 8-7-1951.

II. Agreement dated 17-4-1126 executed by Sri Ismail Kunju to the proprietor of B. M. Service, Quilon.

Exhibits marked on behalf of the Worker.

A. Memo dated 11-5-1125 from the Balaram Motor Service to Sri Ismail, conductor.

B. Trip sheet of M. S. S. Ltd., Quilon No. 7138/30-4-1128.

C. Trip sheet of M. S. S. Ltd., Quilon No. 7138/17-5-1125.

D. Memo dated 17-4-1126 from B. M. S. to conductor Sri Ismail.

E. Memo dated 30-4-1125 to Sri Ismail, conductor from B. M. S., Quilon.

NOTIFICATION.

No. L. Dis. 3664/57/L & LAD.

Dated, Trivandrum, 7th March 1957.

The award of the Industrial Tribunal, Alleppey, in respect of the dispute between the management of Sri Narayana Medical Mission Hospital, Shertalai and their workmen represented by the Ambalapuzha-Shertalai Private Hospital Staff Association, Shertalai received by Government on 25-2-1957, is hereby published under Section 17 of the Industrial Disputes Act 1947 (Central Act XIV of 1947).

By order of the Governor,
P. I. JACOB,
Secretary.

Before the Industrial Tribunal Alleppey.

Present :

SRI K. SHAHUL HAMEED

In

INDUSTRIAL DISPUTE No. 12 OF 1957

Between

THE MANAGEMENT

OF SRI NARAYANA MEDICAL MISSION HOSPITAL, SHERTHALAI

and

THE WORKMEN

OF THE ABOVE HOSPITAL REPRESENTED BY THE AMBALAPUZHA-SHERTHALAI PRIVATE HOSPITAL STAFF ASSOCIATION, SHERTHALAI.

Representation :—

For Management Sri K. Rama Das, President, Sri Narayana Medical Mission. Sherthalai.

For Union Sri M. P. Gopinath Menon, President, Ambalapuzha-Sherthalai Private Hospital Staff Association, Sherthalai.

AWARD.

(1) This Industrial Dispute is between the Management of Sri Narayana Medical Mission Hospital, Sherthalai and the workmen of the above Hospital represented by the Ambalapuzha-Sherthalai Private Hospital Staff Association. The Government of Kerala State was pleased to refer the abovesaid dispute to this Tribunal by Order No. L. Dis. 800/57/L&LAD dated 31-1-1957 for adjudication in respect of the following matters.

Whether the dismissal of nurse K. A. Chinnamma and the suspension and the subsequent dismissal of nurses P. S. Kamalakshi and M. Sumathi Bai and of laboratory technician K. R. Bahuleyan are justifiable?

If not, to what reliefs are they entitled?

(2) On receipt of the order of reference I have registered the dispute as I. D. 12/1957 on my file and issued summons for parties and statements on 4-2-1957. The parties entered appearance on 18-2-1957 and submitted that they had already compromised the issue on 26-1-1957 in token of which they are filing a signed agreement. As that agreement forms the basis of this award it is reproduced below:—

Before the Industrial Tribunal, Alleppey in I. D. 12/57.

The terms and agreement entered into between the Management Sree Narayana Medical Mission, Shertallai and the President, Ambalapuzha - Shertallai Private Hospital Staff Association regarding the Dispute arising out of the dismissal of K. A. Chinnamma, M. Sumathi Bai, P. S. Kamalakshy and K. R. Bahuleyan, employees of Sree Narayana Medical Mission.

1. The management agrees to reinstate all the four dismissed employees from 26th January, 1957.

2. The management agrees to pay all the four employees back wages from the respective date of dismissal to the date of reinstatement.

3. The Ambalapuzha-Shertallai Private Hospital Staff Association agrees to withdraw their complaint pending before the labour Commissioner, and thereby put an end to the above dispute.

4. We pray that an award may be passed on the terms of the above agreement.

(1) Dr. Roy, (Sd.) Chief Medical Officer, Sree Narayana Medical Mission, Shertallai.

(2) K. Ramadas, (Sd.) President, Sree Narayana Medical Mission Shertallai.

(3) A. Ramakrishnan, (Sd.) Secretary, Sree Narayana Medical Mission, Shertallai.

(4) A. K. Bhaskaran, (Sd.) Member, Managing Committee, Sree Narayana Medical Mission, Shertallai.

(5) K. Velayudhan, (Sd.) Member, Managing Committee, Sree Narayana Medical Mission, Shertallai.

(6) M. P. Gopinath Menon, (Sd.) President, Ambalapuzha-Shertallai Private Hospital Staff Association, H. O., Shertallai.

Shertallai,
26th January, 1957.

(3) The terms are fair and reasonable and I have pleasure to accept them and pass this award in terms thereof. The reference is answered accordingly. This award will come into operation from the date of its publication in the official Gazette.

Alleppey,
22-2-1957.

K. Shahul Hameed,
Industrial Tribunal.

Lobour and Local Administration Department

NOTIFICATION.

No. L. Dis. 3802/57/L & LAD.

Dated, Trivandrum, 8th March 1957.

The award of the Industrial Tribunal, Trivandrum, under Section 33-A of the Industrial Disputes Act, 1947 in respect of the dispute between the Management of the Central Transports Ltd., Kayamkulam and their workman Sri M. K. Janardbanan Pillai, Conductor, Central Transports Ltd., Kayamkulam, C/o The All Travancore Private Motor and Mechanical Workers Union branch Kayamkulam received by Government on 1-3-1957 is hereby published under Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

P. I. JACOB,
Secretary.

Before

SRI K. PURUSHOTHAMAN NAIR, B. A., B. L.,
Industrial Tribunal, Trivandrum.

In

INDUSTRIAL DISPUTE No. 129 OF 1955.

Between

Sri M. K. JANARDHANAN PILLAI,
Conductor, Central Transports Ltd., Kayamkulam,
C/o The All Travancore Private Motor
and Mechanical Workers Union,
branch Kayamkulam.

And

SRI P. RAMAN NAIR,
Manager, Central Transport, Kayamkulam.

Representations:

1. Sri P. Ramalingom, Executive Member, The All Travancore Private Motor and Mechanical Workers Union, Kayamkulam. } On behalf of the Worker.

2. Sri R. Ramalingom Iyer, Advocate, Trivandrum. } On behalf of the Manager.

AWARD.

This is a complaint under Section 33-A of the Industrial Disputes Act, 1947 and the complainant is a conductor in the Central Transports Ltd., Kayamkulam. The allegations in the complaint are that during the pendency of Industrial Dispute No. 46 of 1954 between the Central Transports Ltd. and their workmen including himself, the Management of the concern without the permission of this Tribunal changed the condtions

of his service by keeping him out of employment from 11-4-1955 and also by arbitrarily and unjustifiably reducing his wages from Rs. 4 per day to Rs. 2-7-9. These according to him are an alteration of service conditions within the meaning of Section 33 of the Act and hence the management is guilty of contravention under Section 33-A of the Act. The defence set up by the management is to this effect: The conductor was guilty of correcting tickets and mis-appropriating collection of bus T. C. Q. 1228 on 10-4-1955 for which, petition was filed before this Tribunal for permission to dismiss him from service. When he was called upon to explain his misconduct he submitted an explanation wherein he has clearly admitted the guilt.

When the complaint petition and the Section 33 application was pending disposal the parties reached an agreement and a compromise petition dated 27-1-1957 and signed by both parties was filed on 22-2-1957. The terms of the compromise are as follows: —

1. എതിർകക്ഷി, ഹർജിക്കാരന് ഒരു നൂറു രൂപാ (Rs. 100) 31-1-1957-നകം കൊടുക്കാമെന്ന് സമ്മതിച്ചിരിക്കുന്നു.

2. എതിർകക്ഷിയുടെ സർവ്വീസിൽ ഇനിയും ഒരു കണ്ടക്ടറെ ആവശ്യപ്പെടുമ്പോൾ അങ്ങനെയുണ്ടാകുന്ന ഒഴിവിൽ ഹർജിക്കാരനെ നിയമിക്കാമെന്നും ഇപ്പോൾ വെയിറ്റിംഗ് ലിസ്റ്റിൽ ഒന്നാമത്തെ പേരു കൊടുക്കാമെന്നും സമ്മതിച്ചിരിക്കുന്നു.

3. മേൽ പറഞ്ഞ വ്യവസ്ഥകളല്ലാതെ ഇരുകൂട്ടരും തമ്മിൽ യാതൊരവകാശവാദങ്ങളും അവശേഷിക്കുന്നില്ല.

The terms are fair and advantageous to the workman and I pass this award in terms thereof.

I submit the award to Government as required in Section 17 of the I. D. Act of 1947.

Trivandrum.

K. PURUSHOTHAMAN NAIR,
Industrial Tribunal.

Gazette No. 12 dated 19th March 1957.

PART I.

Finance Department

NOTIFICATION.

No. Fin (W/M) 4-10540/57.

Dated, Trivandrum, 4th March 1957.

Notifications Nos. S. R. O. 1119, S. R. O. 1120, S. R. O. 1121 and S. R. O. 1122 dated 11-5-1956 issued by the Government of India (Ministry of Finance) are republished for general information.

By order of the Governor,
M. BALAKRISHNAN NAIR,
Assistant Secretary.

Ministry of Finance
(Department of Economic Affairs)

NOTIFICATIONS.

New Delhi, dated the 11th May, 1956.

S. R. O. 1119.—In exercise of the powers conferred by sub-section (2) of section 1 of the Indian Coinage (Amendment) Act. 1955 (31 of 1955), the Central Government hereby appoints the 1st day of April, 1957, as the date on which the said Act shall come into force.

[No. F. 4 (22) FIII/54 (i)]

S.R.O. 1120.—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Coinage Act, 1906, (III of 1906), the Central Government hereby designates the new coin representing each of the one hundred units into which a rupee is divided under that sub-section as a 'NAYA PAISA'.

[No. F. 4 (22) FIII/54 (ii)]

S. R. O. 1121.—In exercise of the powers conferred by section 6 of the Indian Coinage Act, 1906 (III of 1906), the Central Government hereby determines that:

(*a*) coins of the following denominations shall also be coined at the Mint for issue under the authority of the Central Government, namely:

(i) the rupee or 100 naye paise,
(ii) the half-rupee or 50 naye paise,
(iii) the quarter-rupee or 25 naye paise,
(iv) 10 naye paise,
(v) 5 naye paise,
(vi) 2 naye paise and
(vii) 1 naya paisa.

(*b*) the coins of all denominations hereafter to be coined in accordance with the provisions of section 6 of the said Act shall conform to the following dimensions, designs and composition, namely:

Denomination of the coin	*Metal Composition*	*Shape and outside diameter*	*No. of Serrations*
Rupee or 100 Naye Paise	Nickel	Circular; 28 millimetres	200
½ Rupee or 50 Naye Paise	Do.	Circular; 24 millimetres	150
¼ Rupee or 25 Naye Paise	Do.	Circular; 19 millimetres	100
10 Naye Paise	Cupro-nickel (Seventy-five per cent copper and twenty-five per cent nickel)	8 Scallops; 23 millimetres	..
5 Naye Paise	Do.	Square; 22 millimetres	..
2 Naye Paise	Do.	8 Scallops; 18 millimetres	..
1 Naya Paisa	Bronze (Ninety-seven per cent copper, two-and-a-half per cent zinc and one-half per cent tin)	Circular; 16 millimetres	..

Designs:

Obverse: This face of the coins shall bear the Lion Capital of the Asoka Pillar, with the terms 'Bharat' in Hindi and 'India' in English inscribed thereon.

Reverse: This face of the coins shall bear the year of coinage and the value of the coins in International Numerals. In addition to the value, the number of such coins required to make up one rupee shall also be indicated as shown below:

सौ नये पैसे	....	1 रुपया
रुपये का आधा भाग	....	50 नये पैसे
रुपये का चौथा भाग	....	25 नये पैसे
रुपये का दसवाँ भाग	....	10 नये पैसे
रुपये का बीसवाँ भाग	....	5 नये पैसे
रुपये का पचासवाँ भाग	....	2 नये पैसे
रुपये का सौवाँ भाग	....	1 नया पैसा

On the higher denomination coins, *i.e.*, the rupee, 50 naye Paise and 25 naye paise, the Ears of Corn design shall appear

[No. F. 4 (22) F III/54 (iii)]

S.R.O. 1122.—In exercise of the powers conferred by sub-section (1) of section 21 read with section 7 of the Indian Coinage Act, 1906 (III of 1906), the Central Government hereby makes the following rule, namely:—

The standard weight of the coins coined under the provisions of section 6 of the said Act and the remedy allowed in the making of such coins shall be as specified below:—

Denomination	*Weight*	*Remedy allowed (not exceeding)*
Rupee or 100 Naye Paise	10 grammes	1/40th in weight
½ Rupee or 50 Naye Paise	5 grammes	Do.
¼ Rupee or 25 Naye Paise	2·5 grammes	Do.
10 Naye Paise	5 grammes	Do.
5 Naye Paise	4 grammes	Do.
2 Naye Paise	3 grammes	Do.
1 Naya Paisa	1·5 grammes	Do.

[No. F. 4 (22) F. III/54 (iv)]

CIRCULAR.

No. Fin (W/M) 4-2964/57.

Dated, Trivandrum, 4th March 1957.

Sub:—Introduction of decimal system of coinage.

The following instructions are issued for the information and guidance of all Treasury Officers and Departmental Officers.

2. From 1st April 1957, the date of introduction of decimalised coinage, all accounts (initial as well as compiled) shall be maintained in terms of Rupees and Naye Paise instead of in Rupees, annas and pies as hithertofore, although both the existing and new types of coins will be in circulation simultaneously for some time. All chalans in support of money tendered in payment of Government dues should, therefore, be expressed in new coinage. Similarly all bills for withdrawal of money also should be expressed in Rupees and Naye Paise. The forms of bills, chalans and other books of account will be revised to provide two columns to show Rupees (Rs.) and Naye Paise (nP) separately. The existing forms in which the money columns now contain three sub-columns for record of the amount in Rupees, annas and pies, may, however, continue to be used till such time as the forms are revised. The last two sub-columns which provide for record of annas and pies should be used for recording Naye Paise in terms of new coinage by suitably modifying the headings of these columns. The total amount of each bill, chalan as well as the amounts in pay orders, etc., should be expressed in decimal system. The following standard method of expressing amounts in new coinage in figures should be adopted:—

(i) Rupees twenty five and five naye paise as Rs. 25.05 (not Rs. 25.5).

(ii) Rupees twenty-five and fifty naye paise as Rs. 25.50 (not Rs. 25.5).

(iii) Rupees fifty-five and eighty-three naye paise as Rs. 55.83.

(iv) Fifty naye paise as Re. 0.50.

Note:—1. A similar method will also be adopted when the amounts are posted in forms providing for separate columns for Rupees and Naye Paise. Thus in posting an amount of Rupees twenty-five and five naye paise, 25 will be entered in the Rs. column and ·05 in Naye Paise column.

Note:—2. Amounts expressed in annas and pies should, before posting in accounts books and forms, be converted into whole numbers of Naye Paise according to the conversion table.

3. Whilst moneys tendered in payment of Government dues in whatever currency it is made, shall be accepted in treasuries and other offices entrusted with receipt of Government dues, every endeavour shall be made to make payment of Government dues only in new coins.

4. So long as the existing anna and pie coins continue to be legal tender and both types of coins remain in circulation, there may arise a difference between the book balance and the actual physical cash due to conversion of one type to the other in the individual items and in the total. For instance, in payment of dues of 12 naye paise, 2 annas of the existing coins may be tendered. Two such transactions will represent in the accounts, twenty-four naye paise, whereas actual total cash received will represent 25 Naye Paise. The difference of one Naya Paisa will be a gain to Government due to conversion. Contrarywise, if in payment of two dues of 19 and 5 Naye Paise respectively, three annas and three-fourth annas are tendered, actual cash received will represent in the accounts in total one Naya Paisa less than the total dues. Such losses or gains on conversion shall initially be taken to Government account under a separate minor head "*Loss or Gain on Conversion to Decimal Coinage*". to be opened *in the Central Section* of *the accounts* under the Major Head "suspense Account" subordinate to "S. Deposits and Advances—Part IV Suspense". In order to determine from the accounts the amount due to loss or gain on conversion, it will be necessary to exhibit in the accounts distinctly all items of receipts and payments which are tendered or made in the existing currency, in the manner indicated below :

(i) In the Accounts of Treasuries.

This question of loss or gain will not affect Government accounts where treasury business is conducted by the Bank. All the losses or gains due to conversion will be in the books of the Bank. In the case of non-bank treasuries, the accounts maintained in the Accountant's branch, *viz.*, the Subsidiary Register, Cash Books, Schedules of receipts and payments, Cash Accounts etc., will be always expressed in new coinage. The Treasurer's Cash Book, which at present records the receipts and payments chronologically as they occur in a single money

column will, however, from the appointed date, be in three columns in both the receipts and payments sides. All items of receipts and payments as shown in the chalans and in payment orders recorded on the bills will be incorporated in the first money column in terms of Rupees and Naye Paise. In cases where the amount is tendered entirely in new decimal coins, no further entry in the two subsequent columns will be necessary. In cases where the actual money tendered includes existing coins, the amount tendered in such coins shall be noted in the second money column in terms of Rupees, annas and pies. The third money column will show the equivalent of the amount in the second column converted into the new coinage and expressed in Rupees and Naye Paise. Taking for example, that in depositing Government dues of Rs. 5·29, the actual amount tendered includes, amongst other coins, existing coins of the total value of Rupee one and annas fifteen consisting of one eight anna piece, one four anna piece, eight two anna pieces and two one anna pieces and 4 pice pieces, the entry in the three colums will be as indicated below :—

Column I		*Column II*			*Column III*	
Rs.	nP.	Rs.	a.	p.	Rs.	nP.
5	29	1	15	0	1	94

The difference between the totals of the first money columns on the receipts and payments sides at the end of the day will show the book balance with the Treasurer which shall have to be reconciled with the actual cash balance in his custody. The details of the old coins received and paid in respect of each transaction should be noted in a Subsidiary Register in Form I appended. The value of the old coins for the day in the Subsidiary Register should tally, with the net closing balance of money Column II of the Treasurer's Cash Book. After the totals of Columns II and III on the receipts side of the Treasurer's Cash Book have been struck the amount of the total in Column II should be converted into the new coinage and recorded in Rupees and Naye Paise below the total of Column III on that side. The difference will represent the loss or gain by conversion of sums tendered in old coins on Government Accounts. The resultant total loss or gain by conversion during the day will be added to or subtracted from the total in Column I. There will ordinarily be no payments in old coins of 2 annas and under on or after 1st April 1957. If, however, any payments are rendered necessary, the amount thereof as also payments in half and quarter rupee coins should similarly be entered in Column II and their decimal equivalents in Column III on the payments side, and the loss/gain on conversion should be worked out at the end of the day and added to or subtracted from the total in Column I. This will reconcile the book balance with the actual cash balance. This sum will also be incorporated by the Accountant in his Cash Book under the Head "Loss or Gain on conversion to Decimal Coinage" subordinate to "S. Deposits and Advances—Part IV—Suspense—Suspense Accounts" referred in para 4 above. This will enable the Treasurer's and the Accountant's balance sheets to be agreed, when the accounts for the day may be treated as closed.

(ii) **Accounts in Departmental Offices.**

The Heads of offices shall take necessary steps in advance to have sufficient stock of decimal coins of the denomination of 10 nP. and below so that payments by them or by their subordinate organisations to individuals may be made from 1st April 1957 in decimal coins. The existing coins in possession of Departments on 1st April 1957 and those to be received subsequently should be got exchanged at the Reserve Bank of India, the State Bank of India or at the Treasury at convenient intervals. In cases, however, where such exchange is not possible, the transactions may be conducted in existing coins also. Except Transport, Public works and Electricity Departments where the transactions are considerably large, all other Departments may maintain the Cash book in a single money column as at present but in terms of Rs. and nP. When in respect of any item of receipt and payment the actual money tendered includes present coins the amount as tendered should be incorporated in a Subsidiary Register in Form II appended to this. Instructions for the adjustment of the net loss or gain on conversion in such cases will be issued separately. In the case of Transport, Public works and Electricity Departments, the procedure prescribed for Treasuries in sub para (i) above may be followed.

5. The opening cash balance in old coins with the Treasuries and Departmental authorities rendering compiled accounts to the Comptroller, on 1st April 1957 should be converted in terms of the new coins.

6. The opening balances under Debt, Deposits, Remittance etc. heads in the books of the Treasury Officer or in Departmental Offices will have to be converted into new denominations before entering them into the ledger or any other Register, Schedule or return as on the appointed date. The responsibility for this rests with the authority who keeps *detailed accounts* on the transactions concerned. (For example in the case of "Revenue Deposits" the Treasury Officer is keeping the detailed accounts and he is to convert the balances under individual outstanding items under "Revenue Deposit". Similarly, the court concerned is responsible for the conversion in the case of Civil and Criminal Court Deposits). The individual items which work up to the total balance in such ledgers etc., shall also be similarly converted into the new coinage and recorded in red ink just below the original figure. The difference between the converted value of the balance and of the total of the several individual items going to make up the balance has to be adjusted under the head "Loss or gain on conversion to decimal coinage". For this purpose, the Treasury or departmental officer concerned should report to the Comptroller of the amount of the loss or gain worked out in his detailed accounts with a certificate that the amount has been arrived at after conversion of all the individual balances with which he is concerned in respect of the particular account head. The account adjustment in respect of loss or gain on conversion of the balance will be done by the Comptroller on the basis of such certified statements.

7. The opening balances in the plus and minus Memoranda for "Stamps" may be converted into the new coinage but no adjustment of loss or gain will be necessary in this case, being only a proforma account.

8. Any doubts or difficulties felt in the implementation of these instructions may be referred to the Comptroller promptly for advice and instructions taken.

By order of the Governor,
M. BALAKRISHNAN NAIR.
Assistant Secretary.

To

The Gazette
The Comptroller
All Heads of Departments and Offices
All Treasury and Sub Treasury Officers
All Departmental Accounting authorities.

FORM I

(*See* Para 4)

OFFICE OF THE..

Subsidiary Register of cash transactions in anna pie coins

RECEIPTS

Date of receipt	Ref. to item of Cash Book	Amount in 8 anna pieces	Amount in 4 anna pieces	Amount in 2 anna pieces	Amount in 1 anna pieces	Amount in 1/2 anna pieces	Amount in pice pieces	Amount in pie pieces	Total Amount in old coins

PAYMENTS

Date of Payment	Ref. to item of Cash Book	Amount in 8 anna pieces	Amount in 4 anna pieces	Amount in 2 anna pieces	Amount in 1 anna pieces	Amount in 1/2 anna pieces	Amount in pice pieces	Amount in pie pieces	Total amount in old coins

FORM II.

(*See* Pāra 4)

OFFICE OF THE............................

Subsidiary Register of cash transactions in the anna pie coins.

Receipts				Payments			
1	2	3	4	5	6	7	8
Date of receipt	Reference to item of Cash Book	Amount (in old coins) Rs. A. P.	Amount (converted into new coins) Rs. Naye Paise	Date of payment	Reference to item of Cash Book	Amount (in old coins) Rs. A. P.	Amount (converted into new coins) Rs. Naye Paise
Total				Total			
Total of Col. 3 converted into new coins				Total of Col. 7 converted into new coins			
Difference (Loss or Gain on conversion)				Difference (Loss or Gain on conversion)			

Finance Department

CIRCULAR

No. Fin (W/M) 4-2964/57. *Dated, Trivandrum 4th March 1957*

Sub:—Decimal Coinage.

In continuation of Circular No. Fin (W/M) 4-2964/57 dated 4th March 1957 on the above subject, Heads of Departments and Offices and Treasury Officers are requested to make every endeavour not to re-issue to the extent possible, coins of denominations of annas Two and under received by them on or after 1st April 1957.

The Heads of Departments will immediately take up with the respective administrative departments of the Secretariat the question of amending the Laws and Rules and executive orders relating to rates with which they are concerned, to suit the new system of coinage.

By order of the Governor,
M. BALAKRISHNAN NAIR,
Assistant Secretary.

LAW DEPARTMENT

NOTIFICATION

LD(b)2-482|57|Law.

Dated, Trivandrum, the 12th March, 1957.

The Prevention of Corruption (Amendment) Ordinance, 1957 (No. 2 of 1957), which was promulgated by the President and published in a Gazette of India Extraordinary, Part II, section 1, dated 4th March, 1957, is hereby republished for general information.

By order of the Governor,

P. NARAYANASWAMI,

Joint Secretary.

THE PREVENTION OF CORRUPTION (AMENDMENT) ORDINANCE, 1957

No. 2 of 1957

Promulgated by the President in the Eighth Year of the Republic of India

An Ordinance further to amend the Prevention of Corruption Act, 1947.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. **Short title and commencement.** (1) This Ordinance may be called the Prevention of Corruption (Amendment) Ordinance, 1957.

(2) It shall come into force at once.

2. **Amendment of section 1.** During the period of operation of this Ordinance, the Prevention of Corruption Act, 1947 (2 of 1947) shall have effect as if sub-section (3) of section 1 had been omitted.

RAJENDRA PRASAD,

President.

Gazette No. 12 dated 19th March 1957.

G. 774

NOTIFICATION

List of Text Books prescribed for use in the various standards in Languages (English, Malayalam, Hindi, Tamil and Sanskrit) for 1957-58 for the Former Travancore-Cochin State is published below.

Standard.	*Subject.*	*Title of the Book.*	*Author or Editor.*	*Publisher.*	*Price* Rs.	A.	P.
		English Books.					
XI	Detailed	Selections in English Prose and Verse (New Book)	Committee appointed by Government	Government Publication			
	Non-detailed	(1) Stories from Shakespeare	Arthur Mee	do.	0	12	0
		(2) Three Great Heroes	Allied Publishers	do.	0	14	0
X	Detailed	English Prose and Verse for Form V (Standard X)	Committee appointed by Government	do.	1	4	0
	Non-detailed	No prescription					
IX	Detailed	English Prose and Verse for Standard IX (New Book)	do.	do.			
	Non-detailed	No prescription					
VIII	Detailed	English Reader III	do.	do.	1	2	0
	Non-detailed	(1) Pleasant Stories for the Young	Mamman Mathai	do.	0	6	0
		(2) Sarojini Naidu	V. K. and V. D. Nair	do.	0	5	0
	Copy book	English Copy Book III	Committee appointed by Government	do.	0	3	6
VII	Detailed	English Reader II	do.	do.	0	15	0
	No Non-detailed						
	Copy book	English Copy Book II	do.	do.	0	3	6
VI	Detailed	English Reader I	do.	do.	0	14	0
	Copy book	English Copy Book I	do.	do.	0	3	6

LIST—(*contd.*)

Standard.	*Subject.*	*Title of the Book.*	*Author or Editor.*	*Publisher.*	*Price* Rs.	A.	P.
		2. Malayalam Books.					
XI	Detailed Prose	Kerala Patavali (കേരളപാഠാവലി)	Committee appointed by Government	Government Publication	1	0	0
	Detailed Poetry	Kerala Padya Patavali (കേരളപദ്യപാഠാവലി)	do.	do.	0	8	0
	Non-detailed	(1) Marthandavarma (മാർത്താണ്ഡവർമ്മ സംഗ്രഹം)	സി. വി. രാമൻ പിള്ള	do.	1	8	0
		(2) Bhavarasmikal (ഭാവരശ്മികൾ)	പി. കെ. പരമേശ്വരൻ നായർ	do.	1	2	0
X	Detailed Prose	Kerala Patavali (കേരളപാഠാവലി)	Committee appointed by Government	do.	0	14	0
	Detailed Poetry	Kerala Padya Patavali (കേരളപദ്യപാഠാവലി).	do.	do.	0	6	0
	Non-detailed	(1) Sevasangham (സേവാസംഘം)	മിസ്. ജെ. ആർ. ജോഷ്വാ	do.	1	8	0
		(2) Vinjanasakalangal (വിജ്ഞാനശകലങ്ങൾ)	കെ. ആർ. കൃഷ്ണപിള്ള	do.	1	0	0
IX	Detailed Prose	Kerala Patavali (കേരളപാഠാവലി)	Committee appointed by Government	do.	0	14	0
	Detailed Poetry	Kerala Padya Patavali (കേരളപദ്യപാഠാവലി)	do.	do.	0	4	0
	Non-detailed	(1) Bhala Bharatham (ബാലഭാരതം)	മെക്കൊള്ള പരമേശ്വരൻ പിള്ള	do.	0	12	0
		(2) Sastra Deepika (ശാസ്ത്രദീപിക)	ഡാക്ടർ കെ. ഭാസ്കരൻ നായർ	do.	0	9	6

LIST—(*contd.*)

Standard.	*Subject.*	*Title of the Book.*	*Author or Editor.*	*Publisher.*	*Price* Rs.	A.	P.
	Malayalam Grammar Book for IX, X and XI	Bhasha Deepika (ഭാഷാദീപിക)	G. Sankara Kurup	Government Publication	1	10	0
VIII	Detailed	Kerala Patavali (കേരളപാഠാവലി)	Committee appointed by Government	do.	0	12	0
	Non-detailed	(1) Gurusamaksham (ഗുരുസമക്ഷം)	ഇ. വി. കൃഷ്ണപിള്ള	do.	0	12	0
		(2) Keralathile Veerapurushanmar (കേരളത്തിലെ വീരപുരുഷന്മാർ)	എ. ശങ്കരപ്പിള്ള	do.	0	11	0
VII	Detailed	Kerala Patavali (കേരളപാഠാവലി)	Committee appointed by Government	do.	0	12	0
	Non-detailed	(1) Vinjana Sakalangal (വിജ്ഞാനശകലങ്ങൾ)	മൂർക്കോത്തു കുഞ്ഞപ്പ	do.	0	7	0
		(2) Kathamanjusha (കഥാമഞ്ജുഷ)	പി. വാസുദേവൻപിള്ള	do.	0	10	0
VI	Detailed	Kerala Patavali	Committee appointed by Government	do.	0	12	0
	Non-detailed	Assissi (അസ്സിസ്സി)	കെ. എം. [illegible]	do.	0	7	0
	Malayalam Grammar for Lower Primary and Upper Primary Classes	Bhasha Deepika (ഭാഷാദീ)	Soornad P. N. Kunjan Pillai	do.	0	11	0

Standard	*Subject*	*Title of the Book*	*Author or Editor*	*Publisher*	*Price* Rs.	A.	P.
		3. Hindi Books.					
XI	Detailed	Hindi Reader	Committee appointed by Government	Government Publication	1	0	0
	Non-detailed	Katha Kunch	do.	do.	0	10	0
X	Detailed	Hindi Reader	do.	do.	0	15	0
	Non-detailed	Mahapurushon Ki Jeevani-yan	Kapoor Brothers	do.	0	10	0
	Grammar Exercise	Hindi Rachana (Malayalam)	S. Sankararaj Naidu	do.	0	7	0
	Do.	do. (Tamil)	do.	do.	0	7	0
IX	Detailed	Hindi Reader	Committee appointed by Government	do.	0	14	0
	Non-detailed	Adara Charitr	Pandit Raghavaradyalu-misr	do.	0	6	0
	Grammar Exercise	Rachana Praboth (Malayalam)	P. K. Kesavan Nair	do.	0	7	0
	Do.	do. (Tamil)	do.	do.	0	7	0
VIII	Detailed	Hindi Reader	Avadhanandan	do.	0	12	6
	Grammar Exercise	Rachana Praboth (Malayalam)	C. G. Abraham, B. O. L.	do.	0	6	0
	Do.	do. (Tamil)	do.	do.	0	6	0
VII	Detailed	Hindi Reader	Chandrahasan	do.	0	10	0
		4. Tamil Books.					
XI	Detailed	Tamil Text Book for the Madras S. S. L. C. (Part I and II)—1957-58.	....	Madras University	..		

LIST—(*contd.*)

Standard	*Subject*	*Title of the Book*	*Author or Editor*	*Publisher*	*Price* Rs.	A.	P.
	Non-detailed	1. Urai Mani Malai	S. Vaipuri Pillai	Government Publication	2	0	0
		2. Sivaji	M. S. Subramoniya Iyer	do.	1	2	0
X	Detailed	Arunkalai Tamil Ilakkia Kovai	R. Venkitachalam Pillai	do.	1	5	0
	Non-detailed	1. Pulavar Manigal	Vidwan N. Subramoniam	do.	1	0	0
		2. Vazhkai Oli	C. Durai Swami	do.	0	13	0
IX	Detailed	Selvan Sentamil Selvam	Vidwan A. Pandara Nambiar	do.	1	3	0
	Non-detailed	1. Pandian Mudi	Vidwan V. Narasimhan	do.	0	12	0
		2. Urimai Kavinjar Bharatheeyar	Pulavar Arasu	do.	0	12	0
VIII	Detailed	Pudumurai Chenthamil Vasakam	N. Lakshminarasimha	do.	1	0	0
	Non-detailed	1. Deseeya Kavi Manikal	M. Shanmughom Pillai	do.	0	14	0
		2. Netaji	M. Subramoniya Iyer	do.	0	13	0
VII	Detailed	National Tamil Vasakam	M. Rajamonickam	do.	1	1	0
	Non-detailed	1. Arivu Vilakka Kathaikal	V. Arumughom Sevai	do.	0	8	0
		2. Tamil Nattu Perarinjar	D. K. Nandikeswara Mudaliyar	do.	0	8	0
VI	Detailed	Asoka Vachakom	Vidwan S. Muthu Iyengar	do.	0	14	0
	Non-detailed	Chitra Kathai Thodar	P. N. Appuswami	do.	0	7	0
		5. Sanskrit Books.					
XI	Detailed	Sanskrit Reader for Form VI (Standard XI)	Committee appointed by Government	do.	1	4	0

Standard	Subject	Title of the Book	Author or Editor	Publisher	Price Rs.	A.	P
	Detailed	Sanskrit Reader for Form V (Standard X)	Committee Appointed by Government	Government Publication	0	15	0
IX	Detailed	Sanskrit Reader for Form IV (Standard IX)	do.	do.	0	15	0
VIII	Detailed	Sanskrit Reader for Form III (Standard VIII)	do.	do.	0	13	0
VII	Detailed	Sanskrit Reader for Form II (Standard VII)	do.	do.	0	12	0
VI	Detailed	Sanskrit Reader for Form I (Standard VI)	do.	do.	0	10	0

LOWER PRIMARY.

Malayalam

Standard	Subject	Title of the Book	Author or Editor	Publisher	Price Rs.	A.	P
V	Detailed	Kerala Patavali	do.	do.	0	12	0
	Non-detailed	Panchathanthrakathamanikal(പഞ്ചതന്ത്രകഥാമണികൾ)	Soornad P. N. Kunjan Pillai	do.	0	7	0
	Copy Book	Malayalam Copy Book	Committee Appointed by Government	do.	0	3	6
IV	Detailed	Kerala Patavali	do.	do.	0	10	0
	Copy Book	Malayalam Copy Book	do.	do.	0	3	6
III	Detailed	Kerala Patavali	do.	do.	0	9	0
	Copy Book	Malayalam Copy Book	do.	do.	0	3	6
II	Detailed	Kerala Patavali	do.	do.	0	7	0
	Copy Book	Malayalam Copy Book	do.	do.	0	3	6
I	Detailed	Kerala Patavali	do.	do.	0	6	0

LIST—(*concld.*)

Standard	*Subject*	*Title of the Book*	*Author or Editor*	*Publisher*	*Price* Rs.	A.	P.
		Tamil					
V	Detailed	Chenthamil Vachakam	Committee Appointed by Government	Government Publication	0	12	0
	Non-detailed	Jawahar	C. S. Raja Pillai	do.	0	7	0
	Copy Book	Tamil Copy Book	Committee Appointed by Government	do.	0	3	6
IV	Detailed	Chenthamil Vachakam	do.	do.	0	11	0
	Copy Book	Tamil Copy Book	do.	do.	0	3	6
III	Detailed	Chenthamil Vachakam	do.	do.	0	9	0
	Copy Book	Tamil Copy Book	do.	do.	0	3	6
II	Detailed	Chenthamil Vachakam	do.	do.	0	7	0
	Copy Book	Tamil Copy Book	do.	do.	0	3	6
I	Detailed	Chenthamil Vachakam	do.	do.	0	6	0

Office of the Director of
Public Instruction,
Trivandrum, 8-3-1957.

C. S. VENKATESWARAN,
Director of Public Instruction.

Gazette No. 12 dated 19th March 1957.
PART III.

UNIVERSITY OF TRAVANCORE

NOTIFICATION.

No. GA5-34/56. *6th March 1957*

The following amendments have been made to the Ordinances of the University:—

I. That the following course of study be substituted for the existing course of study given under Part III—Sanskrit, in Section 2 of Chapter XXXVII—Degree of Bachelor of Arts in the Faculty of Oriental Studies (Two-year Course) of the Ordinances from the examination of March-April 1957:—

Part III—Sanskrit.

The course shall comprise the study of the following subjects:—

1. Vedic Texts, Vyakarana, Nyaya and Mimamsa;
2. History of Sanskrit Literature;
3. History of Sanskrit Language and Comparative Philology; and
4. Any one of the following special subjects:—
   (*a*) Nyaya. (*b*) Vyakarana. (*c*) Sahitya.
   (*d*) Jyotisa. (*e*) Advaita Vedanta.

The scope of each subject shall be indicated by a detailed syllabus and/or by the prescription of Text-books.

II. That the following scheme of examination be substituted for the existing scheme of examination given under Part III—Sanskrit, in Section 3 of Chapter XXXVII—Degree of Bachelor of Arts in the Faculty of Oriental Studies (Two-year Course)—of the Ordinances from the examination of March-April 1957.

Part III—Sanskrit.

The examination shall consist of six papers, three papers in general subjects and three papers on the special subjects chosen, as follows:—

A. GENERAL SUBJECTS.

		Hours	Marks
Paper I.	Vedic Texts, Vyakarana, Nyaya and Mimamsa ..	3	100
Paper II.	History of Sanskrit Literature ..	3	80
Paper III.	History of Sanskrit Language and Comparative Philology ..	3	80

B. SPECIAL SUBJECTS.

Paper IV.	Special Subject 1 ..	3	80
Paper V.	Special Subject 2 ..	3	80
Paper VI.	Special Subject 3 ..	3	80
	Total		500

III. "That Section 2 of Chapter XLVIII—Degree of Bachelor of Medicine and Surgery—of the Ordinances may be amended to read as follows:—

2. The academic year for the College shall consist of three terms which shall ordinarily be as follows:—

First Term—June, July and August.

Second Term—September, October and November.

Third Term—January, February and March.

There shall be not less than 180 working days in the year.

The terms for the first year of the course, shall, however, be: July to September, October to December and January to March."

University Buildings,
Trivandrum.

P. S. Abraham,
Registrar.

Gazette No. 12 dated 19th March 1957.
PART III.

University of Travancore.

NOTIFICATION.

No. GA5-5323/56. *6th March 1957.*

The following amendments have been made to the Ordinances of the University:—

"In the Ordinances of the Travancore University the following shall be inserted as Chapter XLIII—Degree of Master of Education and the subsequent Chapters renumbered".

1. Candidates for the Degree of Master of Education (M. Ed.) shall be required to have undergone the prescribed course of study for a period of one academic year and have passed the prescribed examination and have satisfied the Examiners in a thesis on an approved subject.

2. No candidate shall be admitted to the course for the Degree of Master of Education unless he has passed one year previously the B. T. Degree Examination of this University or a Degree Examination in teaching of some other University recognised by the Syndicate as equivalent thereto.

3. No candidate shall be admitted to the M. Ed. Degree Examination unless he forwards before the date of commencement of the Examination satisfactory evidence of having taken the B. T. Degree in this University or in some other University accepted by the Syndicate as equivalent thereto.

4. The course of study shall include :

Part I.

The following compulsory subjects:—

(i) Comparative Education including problems of administration and organisation.

(ii) Educational Psychology including methods of research and Elements of Statistics.

(iii) History and Philosophy of Education.

Part II—Thesis.

Candidates shall be required to submit a thesis on a subject approved by the Syndicate. The thesis shall embody the record of original investigation or a critical and systematic study of existing data of the subject chosen. The thesis shall be prepared under the guidance of a teacher approved by the Syndicate. The subject proposed for the thesis shall ordinarily be related to one or other of the papers offered by the student and shall be submitted to the University not later than the 31st December of the year of admission to the Course. The thesis shall be completed and submitted not earlier than six months from the date of taking the written examination and not later than March of the following academic year.

5. No candidate shall be allowed to submit his thesis unless he has secured a pass in the written examination.

6. The M. Ed. Degree Examination shall consist of two Parts—Part I being the written examination and Part II the thesis.

The subjects and scheme of examination under Part I shall be as follows:

	Hrs.	Marks.
Paper I—Comparative Education including problems of administration and organisation	3	100
Paper II—Educational Psychology including methods of research and elements of Statistics	3	100
Paper III—History and Philosophy of Education	3	100
Total		300

7. Candidates shall be declared to have passed the written examination if they obtain not less than 40% of the marks in each paper and not less than 45% of the total marks.

8. Successful candidates who obtain not less than 60% of the total marks shall be placed in the First Class and all other successful candidates in the Second Class.

9. No candidate shall be permitted to appear for the M. Ed. Degree Examination on more than two occasions.

10. Candidates who have passed the written examination shall submit to the Registrar three typed or printed copies of the thesis prepared in accordance with the rules prescribed above. They shall also be required to declare that the thesis has not already been submitted by them for the award of a Degree, Diploma or Title or recognition and shall further submit a report from the supervising teacher certifying that the thesis is a record of bona fide study and research carried out by the candidate under his supervision.

11. The thesis shall be valued by a Board of Examiners appointed by the Syndicate. No fixed proportion of marks shall be assigned to the thesis, the examiners shall approve the thesis or reject it. There shall also be a *viva voce* examination for each candidate and it shall be held after the examiners have valued the thesis.

12. A candidate who has failed in the written examination or whose thesis has been rejected may reappear for the M. Ed. Degree Examination only once in the written test or submit a thesis as the case may be.

13. A candidate who has failed in the written examination only shall not be required to put in any additional attendance before reappearing for the written examination.

14. A candidate whose thesis has failed to reach the standard and which has been rejected shall be requi Syndicate either to resubmit the thesis or to submit a n which shall be on a different subject.

A candidate required to submit his thesis shall be p to resubmit his thesis at the end of six months from th publication of the result of his first thesis during whi he shall be required to work under the guidance of vising teacher.

Candidates asked to submit a new thesis on subject shall be permitted to submit the new thesis at one year after the date of publication of the result of thesis during which period he shall be required to wo new subject, under the guidance of a supervising approved by the Syndicate."

University Buildings,
Trivandrum.

P. S. ABRAE ,
Registrar.

REGISTERED No. M. 4631.

KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Election Department

ERRATUM NOTIFICATION

EL1-66/57/EB. *Dated, Trivandrum, 19th March 1957.*

For each of the declarations containing the names of candidates elected in the various constituencies published under notification No. EL1. 66/57/EB dated 16th March 1957 in the Gazette Extraordinary No. 23 dated 16th March 1957, insert the heading "Legislative Assembly of Kerala" above the name of the Constituency.

By order of the Governor,
V. KRISHNAMOORTHI,
Secretary (Elections).

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